

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VALERIE SAMPSON and DAVID
RAYMOND, on their own behalf and on the
behalf of all others similarly situated,

Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an
Arizona corporation, KNIGHT
REFRIGERATED, LLC, an Arizona limited
liability company, and KNIGHT PORT
SERVICES, LLC, an Arizona limited liability
company,

Defendants.

CASE NO. C17-0028-JCC

ORDER

This matter comes before the Court on the parties' joint request to approve the proposed class notice plan (Dkt. No. 137). Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the motion for the reasons explained herein.

In June 2020, the Court certified a class of "[a]ll current and former driver employees of Knight Transportation, Inc., Knight Refrigerated, LLC, and/or Knight Port Services, LLC who at any time from July 1, 2013, through the date of final disposition, worked as drivers while residing in the state of Washington." (Dkt. No. 117 at 12.) In September 2020, notice was

1 distributed to then-existing class members. (Dkt. No. 118 at 3.) Because the original class
2 definition was open ended, new driver employees have become part of the class since then.
3 Earlier this month, the Court imposed an end date on the class, limiting it to drivers employed
4 through June 3, 2021. (Dkt. No. 136 at 11.) The parties now move for approval of their plan to
5 provide notice to the new class members to whom notice was not previously distributed. (Dkt.
6 No. 137 at 1–4.) The parties also ask the Court to extend the expert report deadline from July 23,
7 2021 to August 13, 2021. (*Id.* at 4.)

8 The Court must “direct to class members the best notice that is practicable under the
9 circumstances, including individual notice to all members who can be identified through
10 reasonable effort.” *See* Fed. R. Civ. P. 23(c)(2)(B). The class notice must be stated in “plain,
11 easily understood language” and contain: (i) the nature of the action; (ii) the definition of the
12 class certified; (iii) the class claims, issues, or defenses; (iv) that a class member may enter an
13 appearance through an attorney; (v) that the court will exclude from the class any member who
14 requests it; (vi) the time and manner for requesting exclusion; and (vii) the binding effect of a
15 class judgment on members. *Id.*

16 The Court FINDS that the parties’ proposed notice form and notice plan, (Dkt. Nos. 137-
17 2, 137-3), satisfy the elements of Rule 23. Further, the Court FINDS good cause to extend the
18 expert report deadline. Accordingly, the Court GRANTS the parties’ joint request for approval of
19 the proposed class notice plan (Dkt. No. 137) and further ORDERS that expert reports must be
20 disclosed by August 13, 2021.

21 DATED this 22nd day of June 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE